



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

October 11, 2010

Certified Mail – Return Receipt Requested
Article Number: 7010 1060 0000 4952 6917

Mr. Pete Sciarrino, Owner
European Natural Stone Co.
10051 Prospect Ave.
Santee, CA 92071

In reply refer to:
Place ID: 9 371016521: carias

Dear Mr. Sciarrino:

Subject: Notice of Violation, European Natural Stone Co., Order No. 97-03-DWQ

Enclosed is Notice of Violation (NOV) No. R9-2010-0141 issued to European Natural Stone Co. for violations of Order No. 97-03-DWQ, issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). As described in the NOV, the violations are subject to further enforcement pursuant to the California Water Code. The San Diego Water Board reserves the right to take any enforcement action authorized by law.

Please provide a written response (including photo documentation) by October 26, 2010 that confirms the violations have been corrected.

In making the determination of whether and how to proceed with further enforcement action, the San Diego Water Board will consider both the time it takes to correct the identified violations and the sufficiency of the corrections.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Christina Arias at (858) 627-3931 or carias@waterboards.ca.gov.

Respectfully,

DAVID T. BARKER, P.E.
Supervising Water Resource Control Engineer
Surface Waters Basins Branch

DTB:esb:cma

Enclosures:

Facility Inspection Report dated October 6, 2010

California Environmental Protection Agency

Cc via email: (w/encl.)
Ms. Helen Perry, City of Santee

SMARTS Entries:	Tech Staff Info & Use
NPDES No.	CAS000001
WDID	9 371016521
Application ID	218786
Violation ID	842507
Enforcement ID	402692



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European Natural Stone
Mr. Pete Sciarrino, owner

NOTICE OF VIOLATION No. R9-2010-0141

Violations of Order No. 97-03-DWQ
October 11, 2010

WDID: 9371016521: carias

European Natural Stone Co. is hereby notified that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law for the violations described herein.

European Natural Stone Co. is in violation of State Water Resources Control Board (State Water Board) Water Quality Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS 000001 (General Permit), *Waste Discharge Requirements (WDRs) for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

A. Summary of Violations

1. Failure to Implement Best Management Practices (BMPs)

- a. **Provision B.3:** Facility operators covered by this General Permit must reduce or prevent pollutants associated with industrial activity in storm water discharges and authorized non-storm water discharges through implementation of best available technologies (BAT) for toxic and non-conventional pollutants and best conventional technologies (BCT) for conventional pollutants. Development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that complies with the requirements in Section A of the General Permit and that includes best management practices (BMPs) that achieve BAT/BCT constitutes compliance with this requirement.
- b. **Observation:** On October 6, 2010, San Diego Water Board inspected the European Natural Stone Co. facility at 10051 Prospect Ave, Santee, CA, 92071. During the inspection, San Diego Water Board observed and documented lack of adequate BMPs to reduce or prevent pollutants in storm water to the BAT/BCT standard.

The facility had material, equipment, trash, and other debris stored outdoors without cover. This includes rusty and greasy equipment and electronic components that could be sources of pollutants in storm water. Debris and stone dust littered the asphalt, including areas immediately

adjacent to a storm drain. Findings from the inspection are documented in the attached Facility Inspection Report dated October 6, 2010.

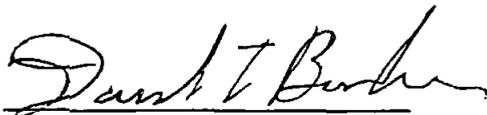
B. Summary of Potential Enforcement Options

These violations may subject you to additional enforcement by the San Diego Water Board or State Water Resources Control Board, including a potential civil liability assessment of \$10,000 per day of violation (Water Code section 13385) and/or any of the following enforcement actions:

Other Potential Enforcement Options	Applicable Water Code Section
Technical or Investigative Order	Sections 13267 or 13383
Cleanup and Abatement Order	Section 13304
Cease and Desist Order	Sections 13301-13303
Time Schedule Order	Sections 13300, 13308

In addition, the San Diego Water Board may consider revising or rescinding applicable waste discharge requirements, if any, referring the matter to other resource agencies, referring the matter to the State Attorney General for injunctive relief, and referral to the municipal or District Attorney for criminal prosecution.

Questions pertaining to this Notice of Violation should be directed to Christina Arias at 858-627-3931 or carias@waterboards.ca.gov.



DAVID T. BARKER, P.E.
Supervising Water Resource Control Engineer
Surface Waters Basins Branch

CIWQS Entries
Place ID/WDID: 9371016521
Enforcement ID: 402692
Violation IDs: 842507

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED PROTECTION PROGRAM

FACILITY INSPECTION REPORT

FACILITY: European Natural Stone

INSPECTION DATE/TIME: 10/06/2010; 10:00

WDID/FILE NO.: 9 371016521

REPRESENTATIVE(S) PRESENT DURING INSPECTION:

NAME: Christina Arias

AFFILIATION: San Diego Water Board

NAME: Ryan Anderson

AFFILIATION: San Diego Water Board

NAME: _____

AFFILIATION: _____

NAME: _____

AFFILIATION: _____

NAME: _____

AFFILIATION: _____

Pete Sciarrino, European Natural Stone Co.
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

FACILITY OR DEVELOPER NAME (if different from owner)

10051 Prospect Ave.
OWNER MAILING ADDRESS

FACILITY ADDRESS

(619) 562-0565
OWNER CONTACT NAME AND PHONE #

FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS:

- MS4 URBAN RUNOFF REQUIREMENTS
- CONSTRUCTION GENERAL PERMIT
- CALTRANS GENERAL PERMIT
- INDUSTRIAL GENERAL PERMIT
- GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- SECTION 401 WATER QUALITY CERTIFICATION
- CWC SECTION 13264

INSPECTION TYPE (Check One):

- "A" TYPE COMPLIANCE--COMPREHENSIVE INSPECTION IN WHICH SAMPLES ARE TAKEN. (EPA TYPE S)
- "B" TYPE COMPLIANCE--A ROUTINE NONSAMPLING INSPECTION. (EPA TYPE C)
- NONCOMPLIANCE FOLLOW-UP--INSPECTION MADE TO VERIFY CORRECTION OF A PREVIOUSLY IDENTIFIED VIOLATION.
- ENFORCEMENT FOLLOW-UP--INSPECTION MADE TO VERIFY THAT CONDITIONS OF AN ENFORCEMENT ACTION ARE BEING MET.
- COMPLAINT--INSPECTION MADE IN RESPONSE TO A COMPLAINT.
- PRE-REQUIREMENT--INSPECTION MADE TO GATHER INFO. RELATIVE TO PREPARING, MODIFYING, OR RESCINDING REQUIREMENTS.
- NO EXPOSURE CERTIFICATION (NEC) - VERIFICATION THAT THERE IS NO EXPOSURE OF INDUSTRIAL ACTIVITIES TO STORM WATER.
- NOTICE OF TERMINATION REQUEST FOR INDUSTRIAL FACILITIES OR CONSTRUCTION SITES - VERIFICATION THAT THE FACILITY OR CONSTRUCTION SITE IS NOT SUBJECT TO PERMIT REQUIREMENTS.
- COMPLIANCE ASSISTANCE INSPECTION - OUTREACH INSPECTION DUE TO DISCHARGER'S REQUEST FOR COMPLIANCE ASSISTANCE.

INSPECTION FINDINGS:

Y WERE VIOLATIONS NOTED DURING THIS INSPECTION? (YES/NO/PENDING SAMPLE RESULTS)

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010

I. COMPLIANCE HISTORY / PURPOSE OF INSPECTION

This facility failed to submit the Annual Report, due on July 1, 2010. A notice of violation was mailed to Pete Sciarrino, owner, on August 19, 2010. A second NOV was hand delivered on October 6, 2010, by Christina Arias and Ryan Anderson of the San Diego Water Board. Upon arrival, Nina Newstead (employee) provided the Annual Report to the Water Board. While present, Ms. Arias and Mr. Anderson inspected the perimeter of the facility. At the time of the inspection, it had just rained. The National Weather Service Forecast Office recorded .01 in of rain at the Santee rain gauge on October 6, 2010.

II. FINDINGS

This site had material, equipment, trash, and other debris stored outdoors without cover (see attached Figures 1, 3-8). This includes rusty and greasy equipment, and also electronic components that could be sources of pollutants in storm water (Figures 5, 6-8). Debris and stone dust littered the asphalt, including areas immediately adjacent to a storm drain (Figures 2, 7, 9, 10). It appears pollutants from these areas have been discharged to the storm drain during the morning rain event.

These findings are in violation of the following provision of Order No. 97-03-DWQ:

Provision B.3: Facility operators covered by this General Permit must reduce or prevent pollutants associated with industrial activity in storm water discharges and authorized non-storm water discharges through implementation of best available technologies (BAT) for toxic and non-conventional pollutants and best conventional technologies (BCT) for conventional pollutants. Development and implementation of an SWPPP that complies with the requirements in Section A of the General Permit and that includes best management practices (BMPs) that achieve BAT/BCT constitutes compliance with this requirement.

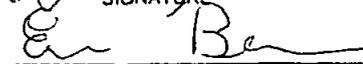
III. RECOMMENDATIONS AND ADDITIONAL COMMENTS

This site should implement BMPs immediately, including but not limited to:

1. All debris should be removed from the premises, stored indoors, or provided adequate cover to prevent the discharge of pollutants from the material.
2. Trash should be disposed of properly.
3. All rusty equipment and electronics should be removed from premises, stored indoors, or provided adequate cover to prevent the discharge of pollutants from the material.
4. Implementation of *good housekeeping* BMPs for the entire facility. All areas should be swept as needed and debris disposed of properly.
5. All storage areas should be adequately covered.

Facility: European Natural Stone Co.
 Inspection Date: 10/06/2010

IV. SIGNATURE SECTION

Christina Arias		10/6/10
STAFF INSPECTOR	SIGNATURE	INSPECTION DATE
Eric Becker		10/11/10
REVIEWED BY SUPERVISOR	SIGNATURE	DATE

SMARTS:

Tech Staff Info & Use	
Application ID.	218786
WDID	9 371016521
Inspection ID	2008845

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010



Trash bags and boxes with waste stored outside of building

Figure 1.



Note red-ish colored debris on concrete

Figure 2.

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010



Poor housekeeping allows debris to accumulate on storage material

Figure 3.



Poor housekeeping allows debris to accumulate on and in between storage material

Figure 4.

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010



Rusty equipment is uncovered and exposed to storm water.

Figure 5.



Electronic equipment is uncovered and exposed to storm water.

Figure 6.

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010



Debris and dust on concrete is wet; this area has already been exposed to storm water

Figure 7.



Note greasy equipment and box with exposed electronics

Figure 8.

Facility: European Natural Stone Co.
Inspection Date: 10/06/2010



Storm drain

Red-ish colored debris

Figure 9.



Red-ish colored debris is within inches of storm drain

Figure 10.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">Pete Sciarrino European Natural Stone 10051 Prospect Ave. Santee, CA 92071</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em;">7010 1060 0000 4952 6917</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, February 2004

Domestic Return Receipt

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Sent To **Pete Sciarrino**

Street, Apt. No.,
or PO Box No. **10051 Prospect Ave.**

City, State, ZIP+4® **Santee, CA 92071**

PS Form 3800, August 2006 See Reverse for Instructions

Hasler FIRST-CLASS MAIL

10/11/2010

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